

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and

THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 42 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated
25/10/2004 in WP NO : 7289 OF 2004 on the file of the High Court.)

Between:

Smt. M. Jyothi, W/o. M. Sanjeeva,
R/o. H.No. 7-150/1, Raju Colony, Balanagar, Hyderabad.

..... APPELLANT

AND

1. M/s. Vinayaka Nagar Welfare Association, Regd.No. 2686/94, Rep. by its
General Secretary S. Venkata Reddy, Office at 10-23 Vinayaka Nagar
HAL Post, Balanagar, Ranga Reddy District.
2. The District Collector, Ranga Reddy District.
3. The Commissioner, Kukatapally Municipality,
Ranga Reddy District.
4. M. Sanjeeva Rao, S/o. Narsing Rao, Municipal Councilor,
11th Ward, Kukatpally Municipality, R/o. 7-151/1, Raju Colony,
Balanagar, Ranga Reddy District.

.....RESPONDENT(S)

Counsel for the Appellant:MR.O.MANOHER REDDY

Counsel for the Respondent No.1: MR.K.SANKARAYYA

Counsel for the Respondent No.2: The G.P. for Revenue

Counsel for the Respondent No.3: Mr.Polisetty Radhakrishna

Counsel for the Respondent No.4: Mr.K.R.Sridharan

The Court at the stage of admission, made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

The appellant was not a party to the writ petition and is aggrieved by the order disposing of the writ petition filed by the first respondent particularly about the findings recorded therein that land admeasuring 400 sq. yards belongs to the Government and directions issued against respondents 2 and 3 herein to take appropriate steps for utilizing the land for any convenient public purpose in accordance with law.

Since the appellant is claiming interest in the land and she claims to be adversely affected, in this appeal, we will not decide such questions and we leave the matter to be decided afresh by the learned single Judge by setting aside the impugned order and directing the writ petition to be decided afresh after hearing the appellant as well after obtaining the appellant's version.

Appeal is allowed and the impugned order is set aside. The writ petition will be decided afresh. The appellant is directed to be impleaded as the third respondent in the writ petition.

List the **Writ Petition** before the learned single Judge on **14-2-2005.**

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DEVINDER GUPTA, CJ

19-1-2005

M.NARAYANA REDDY, J

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To

1. The District Collector, Ranga Reddy District.
2. The Commissioner, Kukatapally Municipality, Ranga Reddy District.
3. 2 CCs to the Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).
4. One CC to the Section Officer, Writ Filing Section, High Court of A.P. Hyderabad.